

116TH CONGRESS
1ST SESSION

H. R. 2617

To amend title 10, United States Code, to enhance recordkeeping with respect to exposure by members of the Armed Forces to certain occupational and environmental hazards while deployed overseas, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 9, 2019

Mr. GARAMENDI (for himself and Mr. AUSTIN SCOTT of Georgia) introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 10, United States Code, to enhance recordkeeping with respect to exposure by members of the Armed Forces to certain occupational and environmental hazards while deployed overseas, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Service Member’s Oc-
5 cupational and Environmental Transparency Health Act”
6 or the “OATH Act”.

1 **SEC. 2. INFORMATION REQUIRED TO BE ADDED TO MED-**
2 **ICAL RECORDS OF CERTAIN MEMBERS OF**
3 **THE ARMED FORCES.**

4 (a) OCCUPATIONAL AND ENVIRONMENTAL HEALTH
5 RISKS IN DEPLOYMENT AREA.—

6 (1) ELEMENTS OF MEDICAL TRACKING SYS-
7 TEM.—Subsection (b)(1)(A) of section 1074f of title
8 10, United States Code, is amended—

9 (A) in clause (ii), by striking “and” at the
10 end;

11 (B) in clause (iii), by striking the period at
12 the end and inserting “; and”; and

13 (C) by adding at the end the following new
14 clause:

15 “(iv) accurately record any exposure to oc-
16 cupational and environmental health risks dur-
17 ing the course of their deployment.”.

18 (2) RECORDKEEPING.—Subsection (c) of such
19 section is amended by inserting after “deployment
20 area” the following: “(including the results of any
21 assessment performed by the Secretary of occupa-
22 tional and environmental health risks for such
23 area)”.

24 (3) EFFECTIVE DATE.—The amendments made
25 by this subsection shall take effect on the date of the
26 enactment of this subsection.

1 (b) BURN PIT REGISTRY.—

2 (1) UPDATES TO ELECTRONIC HEALTH
3 RECORDS.—Beginning not later than one year after
4 the date of the enactment of this Act—

5 (A) the Secretary of Defense shall ensure
6 that the electronic health record maintained by
7 such Secretary of a member of the Armed
8 Forces registered with the burn pit registry is
9 updated with any information contained in such
10 registry; and

11 (B) the Secretary of Veterans Affairs shall
12 ensure that the electronic health record main-
13 tained by such Secretary of a veteran registered
14 with the burn pit registry is updated with any
15 information contained in such registry.

16 (2) BURN PIT REGISTRY DEFINED.—In this
17 subsection, the term “burn pit registry” means the
18 registry established under section 201 of the Dig-
19 nified Burial and Other Veterans’ Benefits Improve-
20 ment Act of 2012 (Public Law 112–260; 38 U.S.C.
21 527 note).

1 **SEC. 3. ADDITIONAL REQUIREMENTS FOR**
2 **POSTDEPLOYMENT MEDICAL EXAMINATION**
3 **AND HEALTH REASSESSMENTS.**

4 (a) POSTDEPLOYMENT MEDICAL EXAMINATION AND
5 REASSESSMENTS.—Section 1074f of title 10, United
6 States Code, as amended by section 2, is further amended
7 by adding at the end the following new subsection:

8 “(g) ADDITIONAL REQUIREMENTS FOR
9 POSTDEPLOYMENT MEDICAL EXAMINATIONS AND
10 HEALTH REASSESSMENTS.—(1) The Secretary of Defense
11 shall—

12 “(A) standardize and make available to a pro-
13 vider that conducts a postdeployment medical exam-
14 ination or reassessment under the system described
15 in subsection (a) questions relating to occupational
16 and environmental health exposure; and

17 “(B) prior to an examination or reassessment
18 of a member of the armed forces, require such pro-
19 vider to review information applicable to such mem-
20 ber—

21 “(i) in a Periodic Occupational and Envi-
22 ronmental Monitoring Summary (or any suc-
23 cessor document); and

24 “(ii) on the Defense Occupational and En-
25 vironmental Health Readiness System (or any
26 successor system).

1 “(2) The Secretary shall ensure that the medical
2 record of a member includes information on the external
3 cause relating to a diagnosis of the member, including by
4 associating an external cause code (as issued under the
5 International Statistical Classification of Diseases, 10th
6 Revision (or any successor revision)).”.

7 (b) EFFECTIVE DATE.—The amendments made by
8 this section shall take effect 180 days after the date of
9 the enactment of this section.

10 **SEC. 4. REPORT BY COMPTROLLER GENERAL OF THE**
11 **UNITED STATES.**

12 (a) REPORT.—Not later than two years after the date
13 of the enactment of this Act, the Comptroller General of
14 the United States shall submit to the congressional de-
15 fense committees and the Committees on Veterans’ Affairs
16 of the House of Representatives and the Senate a report
17 containing an evaluation of the implementation of this Act
18 (and the amendments made by this Act), including an as-
19 sessment of the extent to which the Secretary of Defense
20 and Secretary of Veterans Affairs are in compliance with
21 the applicable requirements of this Act (and the amend-
22 ments made by this Act).

23 (b) CONGRESSIONAL DEFENSE COMMITTEES DE-
24 FINED.—In this section, the term “congressional defense

1 committees” has the meaning given that term in section
2 101(a)(16) of title 10, United States Code.

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